GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – ACB (Trap) Case – Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu - Trapped on 25.08.2023 - Initiation of Departmental Action under A.P.Civil Services (CC&A) Rules, 1991 - Articles of Charge - Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.Rt.No.320 **Dated: 22/05/2025**

Read the following:

1. Proceedings No.Vig.I(2)153/2023, dt.31.08.2023, O/o Commissioner & Director of Agriculture, A.P., Guntur.
2. From the Director General, Anti - Corruption Bureau, A.P., Vijayawada, Rc.No.105/RCT-ATP/2023-S.14, dt.21.11.2023.
3. Govt.Memo.No.AGC01-AGRI/412/2023, A&C(Vig.I) Dept., dt.08.01.2024.
4. Sri Namburi Giribabu, Jr.Assistant(U/s), O/o Asst. Director of Agriculture (R), AnanthapuramuDistrict has submitted a representation dt.07.05.2024.
5. Govt. Memo No. AGC01-AGRI/412/2023 A & C (Vig.I) Dept., dt.23.07.2024 & 29.07.2024.
6. G.O.Rt.No.658 A & C (Vig.I) Dept., dt.21.10.2024.
7. From the Director General, ACB, A.P., Vijayawada, Rc.No.105/RCT-ATP/2023, dt.12.12.2024.
8. G.O.Ms.No.16, A & C (Vig.I) Dept., dt.13.03.2025.
9. Govt.Memo.No.AGC01-AGRI/412/2023, A&C(Vig.I) Dept., dt.13.03.2025.
10. From the Director General, ACB, A.P., Vijayawada, Rc.No.105/RCT-ATP/2023, dt.24.04.2025.

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O R D E R:

It is proposed to hold an enquiry against Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, in accordance with procedure laid down in Rule 20 of the A.P.Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Article of Charges (Annexure-I). Statement of imputation of misconduct or misbehaviour on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should therefore, specifically admit or deny each article of charge.

5. Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, is further informed that if he does not submit his Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte.

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6. Attention of Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, is invited to rule 24 of the A.P.Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P.Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)
B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri Namburi Giri Babu, Junior Assistant, O/o Assistant Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu
(through the Director of Agriculture, A.P., Guntur)

Copy to:
The Director of Agriculture, A.P., Guntur.
(With a request to serve the original G.O. on the Charged Officer and obtain his dated acknowledgement on the Xerox copy and furnish the same along with his Written Statement of Defense (WSD) to the Government)
The Director General, ACB, Pandit Nehru Bus Station,
NTR Administrative Block, 2nd Floor, Vijayawada, A.P.
Sf./Sc

// FORWARDED BY ORDER //

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE –I

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST NAMBURI GIRI BABU, S/O LT N. MUNI RATHNAM, 43 YRS, JUNIOR ASSISTANT, O/o ASSISTANT DIRECTOR OF AGRICULTURE (REGULAR), ADIMURTHI NAGAR, ANANTHAPURAMU.

That Namburi Giri Babu, S/o Late N. Muni Rathnam, 43 yrs, Junior Assistant, O/o Asst Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu, (hereinafter referred as Government Servant-2) while functioning as such during the period between 01.07.2022 to 25.08.2023 (till date of trap) committed grave misconduct in as much as:

CHARGE:

That the Government Servant -2 had demanded and accepted Rs.15,000/-as bribe on behalf of Government Servant -1, from Sri B. Venkatesulu on 25.08.2023 for processing the file for issuing of new Fertilizers and Pesticides license to the shop to be installed at Marutla (V) of Kuderu (M) by Sri B. Venkatesulu."

Thus, Namburi Giri Babu, S/o Late N. Muni Rathnam, 43 yrs, Junior Assistant, O/o Asst Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu by his above mentioned acts exhibited lack of devotion to duty, failed to maintain integrity, behaved in such a manner that his conduct unbecoming of a Government servant and brought down the prestige of the Government and there by violated/ contravened Rule 3(1) & 3(2) of APCS Conduct Rules, 1964.

Sd/- B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

(P.T.O.)

ANNEXURE –II

STATEMENT OF IMPUTATION OF MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF THE ARTICLES OF CHARGES FRAMED AGAINST NAMBURI GIRI BABU, S/O LT N. MUNI RATHNAM, 43 YRS, JUNIOR ASSISTANT, O/o ASSISTANT DIRECTOR OF AGRICULTURE (REGULAR), ADIMURTHI NAGAR,ANANTHAPURAMU

Sri Namburi Giri Babu, S/o Lt N. Muni Rathnam, 43 yrs, Junior Assistant, O/o Asst Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramu. His date of birth is 12.07.1981. He entered into Government service on 24.04.2011 as Juniour Assistant and worked in the same capacity O/o District Agriculture officer Ananthapuramu, O/o Assistant Director of Agriculture Uravakonda O/o Assistant Director of Agriculture Ananthapuramu. He is due to retire on attaining the age of superannuation on 31.07.2043. He is hereinafter referred to as Government Servant-2 (G.S-2).

Charge:

That the Government Servant -2 had demanded and accepted Rs.15,000/-as bribe on behalf of Government Servant-1, from Sri B.Venkatesulu on 25.08.2023 for processing the file for issuing of new Fertilizers and Pesticides license to the shop to be installed at Marutla (V) of Kuderu (M) by Sri B. Venkatesulu.

Facts and Evidence:

Sri Bandaru Venkatesulu, aged 51 years, S/o Late B. Pedda Narayanappa, Marutla Village, Kuderu Mandal, Ananthapuram District agriculturist is having 5.00 acres of land in his village. About one month back he contacted over phone to Sri Vijayakumar, Agricultural Extension Officer (AEO) to know about procedure for establishing fertilizer shop in the name of Sri Lakshmi Narasimha Enterprises in Marutla Village. Sri Vijaya Kumar, AEO replied that Agricultural Officer has to do inspection and give approval for the shop but as there is no Agricultural Officer in Kuderu Mandal and he (AEO) has no powers to do inspection and advised him to meet Assistant Director of Agriculture, and he will assign incharge Agriculture Officer and see that the work of Sri Bandaru Venkatesulu will be completed. After one week the Sri Bandaru Venkatesulu met Sri Ravi, ADA in his Office at Rythubazar, Ananthapuramu and informed about the above work on that he stated that he will inform to Government Servant-1 and asked the Sri Bandaru Venkatesulu to met him and get the inspection of the shop, to give the GST No, paid challan, application, necessary documents and he will process. On the same day the Sri Bandaru Venkatesulu has taken the phone number of Government Servant-1 from Government Servant-2 and called Government Servant-1 and informed about his work. On that Government Servant-1 informed that he will come on 19.08.2023 for inspection of the shop. Accordingly, on 19.08.2023 Government Servant-1 and Government Servant-2 Inspected the shop of the Sri Bandaru Venkatesulu and photo was taken by Government Servant-1 and Sri Bandaru Venkatesulu as part of the Inspection. During conversation Government Sevant -1 Informed Sri Bandaru Venkatesuluthat it will be difficult to give permission because the fertilizer shop was adjacent to their house as such some bribe amount has to be given and asked to met Government Servant-2 for rest of the things. On 20.08.2023 Sunday Sri Bandaru Venkatesulu enquired to Government Servant-2 over phone about their work for which Government Servant-2 informed that unless bribe amount is given his work will not be done so he has to talk with Government Servant-1 and give the bribe amount, then only his work will be done. When questioned about bribe amount is to be given, Government Servant-2 informed that Rs.40,000/- is taken normally for giving permission to the new shop. On 21.08.2023 Sri Bandaru Venkatesulu went to office of Agriculture Officer, Raptadu Mandal. As Government Servant-1 is not in the office Sri Bandaru Venkatesulu called him and Government Servant-1 informed that he is in the camp and asked Sri Bandaru Venkatesulu to meet Government Servant-2 and handover the file relating to the permission of the shop of the Sri Bandaru Venkatesulu to Government Servant-2 and Government Servant-2 will talk with Sri Bandaru Venkatesulu about rest of the issues. At 5.00 PM Sri Bandaru Venkatesulu went to the O/o ADA and handed over the file to Government Servant-2. On that Government Servant-2 talked with Government Servant-1 in the presence of the Sri Bandaru Venkatesulu over phone for a while, informedSri Bandaru Venkatesulu Government Servant-1 will take Rs.30,000 to Rs.40,000/ for granting permission to the fertilizer shop and informed him to take Rs.25,000/- bribe amount from the Sri Bandaru Venkatesulu.

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Sri Bandaru Venkatesulu requested Government Servant-2 that he cannot give that much amount but can give Rs.10,000/-. But Government Servant-2 insisted for bribe of Rs.20,000/- for which, Sri Bandaru Venkatesulu unwillingly agreed and returned apprehending that if Rs.20,000/- bribe amount is not given his work will not be completed. Unwilling to give the bribe amount Sri Bandaru Venkatesulu on 23.08.2023 went to the O/o Government Servant-1 in Raptadu Mandal and found Government Servant-1 is not in the office and called Government Servant-1 over phone and informed about the demand of bribe amount of Rs.20,000/- by Government Servant-2 on that Government Servant-1 told that he is in the field and asked to come to the office at 4.00 PM. Sri Bandaru Venkatesulucame to Ananthapuramu and called Government Servant-1 at 3.00 PM, the Government Servant-1 informed him to call to Government Servant-2 and come to Government Hospital, Ananthapuram town along with Government Servant-2 and wait there. Sri Bandaru Venkatesuluwhen informed the same to Government Servant-2 over phone. The Government Servant-2 stated that he is in the office of ADA and after some time he will come to Government Hospital. Sri Bandaru Venkatesuluwent to Government Hospital and while talking with Government Servant-2 who was already present there Government Servant-1 came in white colour car by self driving and stopped by the side of the road opposite to Government Hospital. Sri Bandaru Venkatesulu, Government Servant-2 went there, wished Government Servant-1 on that Government Servant-1 talked with Sri Bandaru Venkatesuluwhile Government Servant-2 was sitting in the car of Government Servant-1. During conversation the Sri Bandaru Venkatesulu requested Government Servant-1 that Government Servant-2 has demanded Rs.20,000/- bribe amount and he cannot give that much amount and can give Rs 10,000/- on that Government Servant-1 got angry and stated that it is not possible to complete the work with bribe amount of Rs.10,000/- as such he can go away from there. Under unavoidable circumstances Sri Bandaru Venkatesulurequested that he will give bribe amount of Rs.15,000/- Government Servant-1 agreed and instructed to Government Servant-2 to prepare the file. Unwilling to give the bribe amount the Sri Bandaru Venkatesulurecorded the conversation between him and Government Servant-2 on 21.08.2023 in the office of ADA and the conversation between him, Government Servant-1 and Government Servant-2 on 23.08.2023 near Government Hospital in his mobile phone. The Government Servant-1 Informed to give the bribe amount of Rs.15,000/- to himself or to Government Servant-2 or to any person at the place informed by him. On 24.08.2023 Sri Bandaru Venkatesulu visited the O/o.DSP, ACB, Ananthapuramu and gave a report and requested to take necessary action against Government Servant-1 and Government Servant-2 for demanding Rs.15,000/- bribe amount from him by keeping his file pending.

On 24.08.2023 Sri M. Mohan Prasad, Inspector, ACB, Ananthapuramu received the complaint on the Instructions of the DSP, ACB Kurnool I/c Ananthapuram Range. After due enquiries the complaint was registered as a Case in 6/RCT-ATP/2023, U/s 7 PC (Amendment) Act, 2018 of ACB, Ananthapuramu on 25.08.2023 at 8.15 hrs against the Government Servant-1 and Government Servant-2 by the Deputy Supdt of Police, ACB, Kurnool I/c Anantapuramu Range, Anantapuramu and took up investigation and proposed to lay trap.

During Pre Trap Proceedings the DSP played voice conversations recorded in the memory card given by the Sri Bandaru Venkatesuluin the computer system, Sri Bandaru Venkatesuluidentified their voice of Government Servant-1 and 2 and the transcription of the conversation was incorporated in the pre-trap proceedings by the mediators.

After pre-trap proceedings DSP ACB handed over Digital Voice Recorder to the Sri Bandaru Venkatesulufor recording the conservation between him and Government Servant-1 or Government Servant-2. The Sri Bandaru Venkatesuluentered into the office room of Government Servant-2 located in the South West corner of the O/o the ADA located in the 1st floor of the building, and found Government Servant-2 alone in the said room attending to his work at his table. On seeing him Government Servant-2enquired whether the demanded bribe amount of Rs.15,000/- intended to be paid to Government Servant-1 was brought or not and on his affirmative reply Government Servant-2 asked him to hand over the bribe amount. On which Sri Bandaru Venkatesulu took out the tainted currency notes from his shirt pocket and gave it to Government Servant-2 who received the same with his right hand and after counting

with his both hands, kept the tainted currency notes in the right side pocket of his pants. He requested Government Servant-2 to inform the same to Government Servant-1 to process his files for the issue of Fertilizer and Pesticide licenses. Later Sri Bandaru Venkatesulu came out of the office and passed on pre-arranged signal. The DVR was returned by the Sri Bandaru Venkatesuluduring post-trap proceedings. The conversation in the DVR was incorporated by the mediators in the proceedings. The chemical test on both the hand fingers of Sri Giri Babu, Junior Assistant, Government Servant-2 yield positive results. The tainted currency notes was produced by Government Servant-2 from the right side pocket of his pants. The DSP, ACB seized the resultant solutions, currency notes and the pant of Government Servant-2 for further investigation. At about 1.00 PM, the Inspector K.Santhilal along with SI Narendra Bhupathi brought Government Servant-1 to the O/o ADA, Ananthapur. Government Servant-2 produced two official favour files from his table viz., (I) Pesticide license file containing of 24 sheets (II) Retailer Fertilizer License (New) file containing 21 sheets. The DSP, ACB got the photostat copies of the above two files and the same were seized by the DSP, ACB by handing over the original files to Sri M Ravi, Asst. Director, Agriculture (Regular), Ananthapuramu for further action. Attendance Register was also seized by the DSP. Personal Cash Register: It is not being maintained. Inward Register was not produced and on enquiry, the Asst. Director, Agriculture (Regular) informed that it is in the custody of Smt Jyothirmai, Jr.Asst. The DSP, ACB asked Sri Ravi, ADA, to download the attendance marked by the employees working in the O/o the ADA, (Regular), Ananthapuramu in the AP FRS App. Accordingly he downloaded the same and gave print outs of the attendance marked for the employees from 19.08.2023 to 25.08.2023 in 14 sheets. The DSP, ACB seized the said printouts after due attestation by the mediators. As a prima-facie case is made out against Government Servant 1 and Government Servant-2 the DSP, ACB arrested at 02.00 hrs on 26-08-2023 after informing the grounds of their arrest after following due procedure.

The DSP examined the following witnesses who were present at the time of trap and conducting post trap proceedings in the presence of the mediators and the mediators incorporated their statements in detail in the post trap proceedings and other witnesses were examined during investigation.

Witness No.1:Sri Bandaru Venkatesulu, 51 Years, S/o Late Pedda Narayanappa, Marutla Village, Kuderu Mandal, Ananthapuramu District:

He speaks about the contents of his complaint dt: 24.08.2023 submitted to the DSP, ACB, Ananthapuramu Range. Further he gave a memory card during the Pre-Trap proceedings containing the direct phone recordings by him in his mobile phone on 21.08.2023 & 23.08.2023, when he directly met the Government Servant-1 & Government Servant-2 about the transfer of the same to Xtreme SM 4 GB memory card with help of his realative Bandaru Ekanth naidu's lap top computer which is in his personal custody and regular usage. Later he got the voice conversation stored in the Xtreme SM 4GB Memory card (which was recorded when the Bandaru Venkatesulu met the Government servant -2 in his office after leaving the trap party) and also speaks about the contents of Pre-Trap Proceedings, Post-Trap Proceedings to the extent concerning to him. The statement of the Bandaru Venkatesulu was recorded U/s 164 Cr.P.C by the Spl. Judicial Magistrate of 1 Class (Proh. & Excise Cases), Ananthapuramu on 16.09.2023 and he fared well.

Witness No.2 :Sri Mudigallu Ravi, 53 yrs, S/o M. Honnurappa, Asst. Director of Agriculture (Regular), Ananthapuramu. R/o D.No. 6-74, Maruthi Nagar, Ananthapuramu. Cell No. 8331057602:

On examination he stated that he is working as Assistant Director of Agriculture (Regular) Office, Adimurthy Nagar, Ananthapuramu Town from 01-06-2023, Procedure to be followed for issue of Fertilizer License and Pesticide License to any dealers, Fertilizers (Organic, Organic in mixture) as per Clause 8 of (Control) Order, 1985, the dealer shall submit the application and necessary documents to the concerned Mandal Agriculture Officer for licenses in the prescribed format, after making the application the concerned Mandal Agriculture Officer shall examine the said application and inspect the dealer's fertilizer and pesticide shop, after the dealer's application uploaded in e-office or PARICHAYA app to Assistant Director Agriculture Officer (Regular) through the login of the concerned Mandal Agriculture Officer, the physical file prepared by the Mandal Agriculture Officer is also send to the concerned

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Assistant Director Agriculture Officer (Regular) for its further processing. he received the above physical file from the concerned Mandal Agriculture Officer, as per Clause 9 Fertilizers (Organic, in Organic Mixture) (Regulation) Order, 1985, he was also inspected the shops, further issuing fertilizer license to installs a new retail fertilizer shop.

For the procedure of issuing a new pesticide license, the same procedure of issuing of Fertilizers License but as per Clause 9 Fertilizers (Organic, in Organic Mixture) (Control) Order, 1985, the new shops are inspected by Assistant Director Agriculture Officer and physical file (received from concerned MAOs) were forwarded to The District Agriculture Officer for issue Pesticide license. AssistantDirector Agriculture Officer does not have the power to issue pesticide licenses. The power to issue pesticide license is vested in the District Agriculture Officer.

In this case, Government servant-1 is working as Agriculture Officer of Raptadu Mandal from 03-06-2023. Spl. Commissioner of Agriculture, AP, Guntur vide no. All(3) AGC02-32022(41)/75/2023 A2 SEC-AGRHOD, O/o the Commissioner & Director of Agriculture, AP, Guntur, Dt. As per 04-2023, Subhakar, Agriculture Officer of Raptadu Mandal has given order as FAC Kuderu quality & control for a period of 6 months i.e., up to 30-09-2023. But Subhakar has been transferred as Uravakonda Agricultural Officer from Raptadu as per order File No. AGCO2-32022(31)/1/2023-ADMIN-AGRHOD. And according to the same order, Government servant-1, who was the Uravakonda Mandal Agriculture Officer, was transferred to Raptadu Mandal Agriculture Officer. But Government servant-1, who is an agricultural officer, as per the order of the commissioner, who also used to perform FAC quality control duties for Kuderu Mandal. Later Government servant-1 given requestion to him (ADA) to appoint another officer to perform FAC quality control duties for Kuderu Mandal because it will be difficult to perform the duties of agricultural officer of Raptadu Mandal and FAC quality control duties for Kuderu Mandal. Later the same was informed to District Agriculture Officer through letter vide Roc No. B/FCO-1985/Quality Control/2023 dated 07.08.2023, later received memo Roc No.A9/616/2022 Dated 10.08.2023 from District Agriculture Officer as per the order of Commissioner & Director of Agriculture AP, Guntur informed that the Raptadu mandal agriculture officer should perform the FAC quality control duties related to Kuderu mandal. The same was informed to Mandal Agriculture officer Rapthadu Vide Roc No. B/FCO-1985/Quality Control/2023 Dated 17.08.2023. Therefor Government servant-1 should be present for the verification work of the applications related to the issue of licenses for setting up fertilizer and pesticide shop in Kuderu Mandal.

A few days ago, Venkatesulu from Marutla village of Kuderu mandal came to him to apply for the new fertilizer and pesticide shop license Bandaru Venkatesulu asked him who is the quality control agricultural officer for Kuderu mandal. He told Bandaru Venkatesulu to meet Government servant-1. Further Bandaru Venkatesulu met to Government servant-1 and asked to Government servant-1 process his fertilizer and pesticide shop license files, Government servant-1 said that should do a field visit and that he would come there to be inspection. On 19.08.2023 Government servant-1 and Government servant-2, who works as a junior assistant in his office went to Marutla village of Kuderu mandal Mandal and inspected Bandaru Venkatesulu's Pesticide and fertilizer shop. But Government servant-1, and Government servant-2 together demanded bribe amount for processing files related to the issue of fertilizer and pesticides shop licenses of Bandaru Venkatesulu of Marutla Village Kuderu Mandal.On 25.08.2023 while he was attended E-Cropping duty at Bukkarayasamudra mandal, at that time Inspector ACB made a phone call to him and informed on 25.08.2023 at 12.30 PM Government servant-2, whoworks as a junior assistant in your office has accepted bribe amount of Rs.15000/-from Bandaru Venkatesulu on behalf of Government servant-1 and caught red-handed by ACB officials. Immediately he left there and came to his office.Perused the Fertilizer and Pesticide license files held by Government servant-2, Fertilizer license in the name of M/s Lakshmi Narasimha Enterprises, D No. 1-181, Marutia-I village, Kuderu mandal. after coming to him through the concerned MAOS of processing fertilizer and pesticide license files junior assistant Narasimhulu do license work. But Government servant-2, is supposed to do the work of National food security mission, Polam Badi, RKVY (Rastriya Krishi Vikas Yojana) but against the rules Government servant-1, who were together processed the files of Venkatesulu's fertilizer and pesticide shop licenses and

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the fertilizer and pesticide shop license files of the said Venkatesulu have not been sent to him and uploaded in E office. Previously Government servant-1 worked as an agricultural officer in Ananthapuram mandal agriculture office and Government servant-2 also worked as a junior assistant with that introduction Government servant-2, took the license files of a fertilizer and pesticide shop unrelated to him to process and demanded a bribe on behalf of Government servant-1 and took the bribe amount from the dealer Bandaru Venkatesulu.

Witness No.3: Sri G Narasimhulu, Jr. Asst., 39 Yrs., R/o D No. 28/2/142, Navodaya Colony, Ananthapuramu Cell: 7013051254.

On examination Stated that, he is working as Jr. Asst. in the O/o the Asst. Director, Agriculture (Regular), Ananthapuramu, since 01-06-2023. He deals the Polam badi, Seed distribution and Quality control works. His working table is located in the same room where the working table of Government servant-2 is located. on 25.08.2023 he attended to his duties at about 10.30 AM and went out of the office for attending his personal work and returned back at about 1.00 PM. The duty of receiving files for issue of Fertilizer and Pesticide licenses is allotted to him, but he came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1, from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

Witness No.4: Sri L M Narasimha Murthy, Office Sub-ordinate, 47 Yrs., R/o Kambaduru (V) & (M) Cell: 9502345812.

On examination Stated that, he is working as Office Sub-ordinate in the O/o the Asst. Director, Agriculture (Regular), Ananthapuramu, since 2017. Today I.e., on 25.08.2023 he attended to his duties at about 10.30 AM, and at about 12.30 PM he heard some conversation in the office and came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/-on behalf of Government servant-1 from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

Witness No.5. Sri S Shashavali, Computer Operator, 39 Yrs., R/o D.No.12/1-298, Ashok Nagar, Ananthapuramu Cell: 9347066101

On examination Stated that, he is working as Computer Operator on contact basis in the O/o the Asst. Director, Agriculture (Regular), Ananthapuramu, since 2018. Today i.e., on 25.08.2023 he attended to his duties at about 10.30 AM, and at about 12.30 PM he heard some conversation in the office and came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1 from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

Witness No.6: Sri Bandaru Ekanth Naidu, aged 33 years S/o B.Ramanjineyulu. Marutla Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, L.W.1 is the close relative to him. he copied the recorded voice data from cell phone of the Bandaru Venkatesulu in to the memory card through his Lap top computer which is in custody and issuing of S.65(B) IEA Certificate and etc facts.,

Witness No.7: Sri Besta Ramanna, age: 55 yrs, S/o Late Narasimhulu, Marutla -1 Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, and live by agriculture, in his village Bandaru Venkatesulu's house is next to his house. Bandaru Venkatesulu used to say that he wanted to set up a fertilizer and pesticide shop in our village, and in the same way, he had built a new room and applied to the concerned authorities for licenses related to fertilizers and pesticides. On 19.08.2023 while he was present at Bandaru Venkatesulu House at that time two persons came here after inspecting the room where the newly constructed fertilizer and pesticide shop and went away from that place. Further he asked to Bandaru Venkatesulu who they were, further he know that as Government servant-1, and Government servant-2. Further he know that on 25.08.2023 ACB officials have trapped Government servant-2., for receiving the bribe amount of Rs.15,000/- from his villager Bandaru Venkatesulu on behalf of Government servant-1, for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

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Witness No.8: Sri Besta Verraiah, age:40 yrs, S/o Narayanappa, Marutla -1 Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, further stated corroboration version of L.W.7 in material facts and etc., facts.

Witness No.9: Sri Brahmnapalli Ramireddy gari Sekhar Reddy, age:52 yrs, S/o Late B.Ramireddy, AO (Agriculture officer) Soil testing Laboratory Ananthapuramu I/c MAO, Rapthadu & Quality & Control Kuderu Mandal.

On examination he stated that he was working as AO in Soil Testing Lab (STL) at Adimurthy Nagar, Ananthapuramu Town from 01-07-2023 to 25-08-2023, as per orders of his superior officers vide Roc No.02/2023 Dated 28.08.2023 O/o Assistant Director of Agriculture Soil Testing Laboratory Ananthapuramu & Roc No.A1/513/2023 Dated 26.08.2023 O/o District Agriculture office, Ananthapuramuhas been appointed as Incharge MAO for Rapthadu Mandal and as Incharge Quality & Control for Kuderu Mandal from 28.08.2023. he performed duties of recommend monitoring of RBKs, monitoring of harvesting experiments, monitoring of fertilizers, and pesticide shops as part of quality and control and new licenses.

But Government servant-1, who worked as Agriculture Officer, Raptadu Mandal, in-charge Q & C Kuderu Mandal, and Government servant-2, Junior Assistant in AD Office earlier, together demanded bribe amount for process the files related to the issuance of fertilizer and pesticide shop licenses of Bandaru Venkatesulu of Marutla village, Kuderu Mandal. Further know that on 25.08.2023 ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1 from Sri Bandaru Venkatesulu for processing his files for issue of Fertilizer and Pesticide licenses.

After the trap case, AD, Ananthapuramu, handed over Bandaru Venkatesulu's Fertilizer License and Pesticide License files and instructed him to do a field visit and send an inspection report, after examined these two files, Government servant-1, earlier Agriculture Officer, Raptadu Mandal, In-charge Q & C Kuderu Mandal, and Government servant-2, together demanded money to process the files related to the issuance of fertilizer and pesticide shop licenses of Bandaru Venkatesulu of Marutla village, Kuderu Mandal and also conducted field inspection and kept the said files without signed by Government servant-1 because Bandaru Venkatesulu did not give amount to Government servant-1.

Further he know that Bandaru Venkatesulu of Marutla-1 village, Kuderu Mandal met to Bathini Vijaya Kumar, who was Incharge MAO, without Quality & Control Kuderu Mandal for how to applying of fertilizer and pesticide license. It is learned that he said to meet AD in Ananthapuramu as he has no authority.

According to the orders of AD, He along with Vijaya Kumar, MAO Kuderu without Q & C Kuderu mandal went to Marutla-1 village and inspected Bandaru Venkatesulu's Fertilizer and Pesticide Shop and the name of the shop was Sri Lakshmi Narasimha Enterprises. To grant a license for a fertilizer or pesticide shop to anyone, one must have a B.Sc Agriculture, B.Sc degree or diploma qualification, but Bandaru Venkatesulu does not have the above qualification. He act as Proprietor and his relative Bandaru Ekanth Naidu has studied B.Sc Agriculture so he is the Person Responsible. Further he recommended and prepared the inspection report and same was sent the relevant files to the AD through E-office and also sent the physical documents. However, AD examined the files and issued fertilizer license to Bandaru Venkatesh. further AD recommending pesticide license to JD through the e-office and also sent physical documents. JD examined the files and issued a pesticide license to Bandaru Venkatesh. Further Bandaru Venkatesulu's fertilizer license and pesticide license both came to his office in Rapthadu, he informed to Ekanth Naidu, who is the Person Responsible of Marutla-1 village and gave instructions and precautions on the shop management and gave both licenses to Ekanth Naidu. And etc facts.

(P.T.O.)

Witness No.10: Sri Bathini Vijaya Kumar, 56 yrs, S/o Late B.Obulesu, AEO, FAC MAO Without Quality& Control Kuderu Mandal, R/o D.No 28/6-264, house No.549, Housing board colony, Ananthapuramu

On examination he stated that he worked as AEO (Agriculture Extension Officer) to Atmakuru Mandal and worked as Incharge MAO for Kuderu Mandal from the year 2021 to the month of August 2022, then from the month of August 2022 he served as AEO of Atmakuru between 04th May-2023. As per orders of his superior officers vide File No. AGCO2-32022(41)/75/2023-A2-SEC-AGRHOD O/o Commissioner & Director of Agriculture AP, Guntur Roc No. A1/616/2022 Dated 03.05.2023 O/o District Agriculture office, Ananthapuramu, Roc No. A/01/2023 Dated 04.05.2023 O/o Assistant Director of Agriculture (Regular) Ananthapuram, Kuderu Regular MAO L.Navatha has sent on deputation to Agriculture Lab in Ananthapuram, he is doing duty as FAC MAO, Without Quality & Control Kuderu Mandal. Generally, AEOs are responsible for monitoring RBKs, monitoring harvesting experiments, sending office reports to higher authorities, etc. Regular MAOs, however, supervise RBKS, monitor harvesting experiments, monitor fertilizer and pesticide shops as part of quality and control and recommend new licenses. Further stated corroboration version of L.W.9 in material facts and etc., facts.

Witness No.11. Smt. Pagadi Palyam Jyothioramai, 39 years, W/o Late T.Muralidhar, R/o D.No 6-1-2-601, Ramnagar, Ananthapuramu Town.

On examination She is working as Junior Assistant in Assistant Director of Agriculture (Regular) Ananthapuramu since 09.06.2023, She got this job under compassionate appointment due to the death of her husband. As per the orders of her superiors vide Order No.A/01/2023-24 Dated 16.06.2023 0/0 Asst. Director of Agriculture (Regular) Ananthapuramu, She was maintaining Dispatch, C.L. Statinory item registers. But the inward register has not been maintained in office since she joined the new job. Further as per Oral instructions of her superior officer she started maintaining inward Register from 01.01.2024. Subsequently, on 25.08.2023 she went to OH due to Varalakshmi vratam Festival.On 24.08.2023 She applied for OH, and said the application was given to her Assistant Director

Further, she came to know that the ACB officials have trapped Government servant-2., for receiving the bribe amount of Rs 15,000/- on behalf of Government servant-1 from a dealer Bandaru Venkatesulu, Marutla Village, Kuder Mandal for processing his files for issue of Fertilizer and Pesticide licenses and etc., facts.

Following Documents collected during the course of investigation.

1. Complaint Dt. 24.08.2023 given by the Sri Bandaru Venkatesulu:

It reveals the facts of demand of bribe amount of Rs.15,000/- by the Government servant-1 & Government servant-2 to the Bandaru Venkatesulu for doing an official favor pending with the Government servant -1 & Government servant -2.

2. FIR in Cr.No.6/RCT-ATP/2023, Dt. 25.08.2023 of A.C.B., Ananthapuramu Range, Ananthapuramu:

It reveals that a report was received from the Bandaru Venkatesulu with regard to demand of bribe and registration of the case against the Government servant -1 & Government servant -2.

3. Statement of the Bandaru Venkatesulu, age: 51 yrs, S/o Late B. Pedda Narayanappa, Marutla Village, Kuderu Mandal, Ananthapuramu District. recorded U/s 164 Cr.P.C by the Honourable Special Judicial Magistrate of First Class (Proh. & Excise) Ananthapuramu On 16.09.2023:

It corroborates the facts of the complaint, Pre-Trap & Post-Trap Proceedings.

4. Pre-Trap Proceedings (Mediator Report-1):

It reveals about the actual happenings vide Pre-Trap Proceedings Dt. 25.08.2023

5. Post-Trap Proceedings (Mediator Report-II):

It reveals about the actual happenings drafted at the office of O/o Assistant Director of Agriculture (Regular) Adimurthy Nagar, Ananthapuramu Town. Dt.25/26.08.2023.

(Contd.p.9)

6. The documents seized from the possession of the Government Servant-2 during Post-Trap Proceedings:

(1) Pesticide license file containing 24 sheets. (II) Retailer Fertilizer License (New) file containing 21 sheets.

7. Rough Sketch:

This document speaks about the scene of offence where the Government servant -2 accepted the bribe amount i.e., O/o Assistant Director of Agriculture (Regular) Adimurthy Nagar, Ananthapuramu Town.

8. Certificate U/s 65-B Indian Evidence Act (issued by Sri Bandaru Ekanth Naidu, 33 years S/o B.Ramanjineyulu. Marutla Village, Kuderu Mandal, Ananthapuramu District):

It reveals that on 21.08.2023 & 23.08.2023 when Bandaru Venkatesulu directly met the Government servant -1 & Government servant -2 at that time he recorded audio recordings on his mobile phone, Further He transferred of the same to 'Xtreme SM 4 GB' memory card through his lap top computer which is in his personal custody and regular usage.

9. CDR Analysis:

1. Reply from Nodal Officer, AP & TS, Airtel Dt

a) It would speak about the furnishing of Call details of Mobile Nos.9908239690 belonging to Bandaru Venkatesulu from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 9908239690

c) It would speak about issuing the Customer Application Forms (CAF) of Mobile No. 9908239690 which is in the name of Bandaru Venkatesulu.

2. Reply from Nodal Officer/Alt Nodel officer AP & T Circle Dt.04.01.2024.

a) It would speak about the furnishing of Call details of Mobile No.7981986581belonging to Government servant 1, 8331057642 belongs to Govt sim which was used by Government servant 1 from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 7981986581 & 8331057642.

c) It would speak about issuing the Customer Application Form (CAF) of Mobile No. 7981986581 which is in the name of Government servant-1.

3. Reply from Alt. Nodel officer LI, AP Circle Bharat Sanchar Nigam Limited & T Circle Dt.21.12.2023.

a) It would speak about furnishing of Call details of Mobile No. 9441552232 belonging to Government servant -2, from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 9441552232

c) It would speak about issuing the Customer Application Form (CAF) of Mobile No. 9441552232 which is in the name of Government servant-2.

The CDRs analysis of Government servant -1, & Government servant -2 and the Bandaru Venkatesulu is establishing the communication by Government servant -1, and Government servant -2 with the Bandaru Venkatesulu.

10. Voice samples Analysis Report: Voice samples of Government servant -1 & Government servant -2 collected on 20.12.2023 by the expert at APFSL, Mangalagiri and reports is awaited.

11. Roc No. A1/513/2023 Dated 07.10.2023 Reply received from District Agriculture officer, Ananthapuramu: It's revealed about Government Mobile Sim No 8331057642 allotted to Government servant -1 (Agriculture officer Rapthadu Mandal, FAC Q & C Kuderu mandal.)

12. Roc No. A/01/2023 Dt.19.08.2023 Asst. Director of Agriculture (Regular) Ananthapuramu: It's revealed about Service Particulars and Job charts of Government servant -1 & Government servant -2

13. Roc No. A1/513/2023 Dt.03.10.2023 of District Agriculture officer Ananthapuramu: It's revealed about the Completion of the official favor of the Bandaru Venkatesulu.

(P.T.O.)

14. Roc No. A/01/2023 Dt.04.12.2023 Asst. Director of Agriculture (Regular) Ananthapuramu: It's revealed about the procedure of issuing of Fresh fertilizer license and Pesticide licenses to a shop.

15. Office order No.A/01/2023-24 Dt.16.06.2023 O/o Asst. Director of Agriculture (Regular) Ananthapuramu: It's revealed about the duties allotment of staff who were working in above office.

Hence the charge against the Government Servant-1 and Government Servant-2 demanded the Sri Bandaru Venkatesulu to pay a bribe amount of Rs.15,000/-and accepted through Government Servant -2 behalf of Government Servant-1, on 25.08.2023 for processing the files for issuing of new Fertilizer license and Pesticide license to a shop to be installed at Marutla (V) of Kuderu (M) belonging to the B. Venkatesulu.

Thus, the Government Servant-2 Sri Namburi Giri Babu, S/o Late N. Muni Rathnam, 43 yrs, Junior Assistant, O/o Asst Director of Agriculture (Regular), Adimurthi Nagar, Ananthapuramuhas exhibited lack of integrity, devotion to duty and behaved in such a manner that his conduct unbecoming of a Government Servant and thereby violated Rule 3(1) & 3(2)(5) of APCS Conduct Rules, 1964.

Thus the Government Servant-1 rendered himself liable for regular departmental action for major penalty under Rule 20 of A.P.C.S.(C.C.&A) Rules, 1991.

Sd/- B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

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ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLE OF CHARGE FARMED AGAINST NAMBURI GIRI BABU, S/O LATE N. MUNI RATHNAM, 43 YRS, JUNIOR ASSISTANT, O/O ASST DIRECTOR OF AGRICULTURE (REGULAR), ADIMURTHI NAGAR, ANANTHAPURAMU ARE PROPOSED TO BE SUSTAINED.

LIST OF DOCUMENTS

The following documentary evidence is available on record:

1. Complaint Dt. 24.08.2023 given by the Sri Bandaru Venkatesulu:

It reveals the facts of demand of bribe amount of Rs.15,000/- by theGovernment servant-1 & Government Servant-2 to the Bandaru Venkatesulu for doing an official favor pending with the Government servant -1 & Government Servant -2.

2. FIR in Cr.No.6/RCT-ATP/2023, Dt.25.08.2023 of A.C.B., Ananthapuramu Range, Ananthapuramu:

It reveals that a report was received from the Bandaru Venkatesulu with regard to demand of bribe and registration of the case against the Government Servant -1 & Government Servant -2.

3. Statement of the Bandaru Venkatesulu, age: 51 yrs, S/o Late B. Pedda Narayanappa, Marutla Village, Kuderu Mandal, Ananthapuramu District recorded U/s 164 Cr.P.C by the Honourable Special Judicial Magistrate of First Class (Proh. & Excise) Ananthapuramu On 16.09.2023:

It corroborates the facts of the complaint, Pre-Trap & Post-Trap Proceedings.

4. Pre-Trap Proceedings (Mediator Report-I): It reveals about the actual happenings vide Pre-Trap Proceedings Dt. 25.08.2023.

5. Post-Trap Proceedings (Mediator Report-II): It reveals about the actual happenings drafted at the office of O/o Assistant Director of Agriculture (Regular) Adimurthy Nagar, Ananthapuramu Town.Dt. 25/26.08.2023.

6. The documents seized from the possession of the Government Servant-2 during Post-Trap Proceedings:) (1) Pesticide license file containing 24 sheets. (II) Retailer Fertilizer License (New) file containing 21 sheets

7. Rough Sketch: This document speaks about the scene of offence where the Government servant -2 accepted the bribe amount i.e., O/o Assistant Director of Agriculture (Regular) Adimurthy Nagar, Ananthapuramu Town.

8. Certificate U/s 65-B Indian Evidence Act (issued by Sri Bandaru Ekanth Naidu, 33 years S/o B.Ramanjineyulu. Marutla Village, Kuderu Mandal, Ananthapuramu District):

It reveals that on 21.08.2023 & 23.08.2023 when Bandaru Venkatesulu directly met the Government servant -1 & Government servant -2 at that time he recorded audio recordings on his mobile phone, Furtherhe transferred of the same to 'Xtreme SM 4 GB' memory card through his lap top computer which is in his personal custody and regular usage.

9. CDR Analysis:

1) Reply from Nodal Officer, AP & TS, Airtel.

a) It would speak about the furnishing of Call details of Mobile Nos.9908239690 belonging to Bandaru Venkatesulu from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 9908239690

c) It would speak about issuing the Customer Application Forms (CAF) of Mobile No. 9908239690 which is in the name of Bandaru Venkatesulu

(P.T.O.)

2. Reply from Nodal Officer/Alt.Nodel officer AP & T Circle Dt.04.01.2024

a) It would speak about the furnishing of Call details of Mobile No. 7981986581 belonging to Government servant -1, 8331057642 belongs to Government sim which was used by Government servant -1 from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 7981986581 & 8331057642

c) It would speak about issuing the Customer Application Form (CAF) of Mobile No. 7981986581 which is in the name of Government servant-1.

3. Reply from Alt. Nodel officer LI, AP Circle Bharat Sanchar Nigam Limitted & T Circle Dt.21.12.2023

a) It would speak about furnishing of Call details of Mobile No. 9441552232 belonging to Government servant -2, from 01.07.2023 to 25.08.2023.

b) It would speak about issuing certificate U/s 65-B(4) of IEA about retrieving Call details of Mobile No. 9441552232.

c) It would speak about issuing the Customer Application Form (CAF) of Mobile No. 9441552232 which is in the name of Government Servant-2.

The CDRs analysis of Government servant -1, & Government servant -2 and the Bandaru Venkatesulu is establishing the communication by Government servant -1, and Government servant -2 with the Bandaru Venkatesulu.

10. Voice samples Analysis Report: Voice samples of Government servant -1 & Government servant -2 collected on 20.12.2023 by the expert at APFSL, Mangalagiri and reports is awaited.

11. Roc No. A1/513/2023 Dated 07.10.2023 Reply received from District Agriculture officer, Ananthapuramu: It's revealed about Government Mobile Sim No. 8331057642 allotted to Government servant -1 (Agriculture officer Rapthadu Mandal, FAC Q & C Kuderu mandal.)

12. Roc No. A/01/2023 Dt.19.08.2023 Asst. Director of Agriculture (Regular) Ananthapuramu: It's revealed about Service Particulars and Job charts of Government servant -1 & Government servant -2.

13. Roc No.A1/513/2023 Dt.03.10.2023 of District Agriculture officer Ananthapuramu: It's revealed about the Completion of the official favor of the Bandaru Venkatesulu.

14. Roc No. A/01/2023 Dt.04.12.2023 Asst. Director of Agriculture (Regular) Ananthapuramu: It's revealed about the procedure of issuing of Fresh fertilizer license and Pesticide licenses to a shop.

15. Office Order No.A/01/2023-24 Dt.16.06.2023 O/o Asst. Director of Agricultuer (Regualr) Anantahpuramu: It’s revelaed about the duties allotment of staff who were working in above office.

Any other documents is found to be relevant will be produced at the time of enquiry.

Sd/- B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

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ANNEXURE-IV

LIST OF WITNESSES BY WHOM ARTICLE OF CHARGE FARMED AGAINST NAMBURI GIRI BABU, S/O LATE N. MUNI RATHNAM, 43 YRS, JUNIOR ASSISTANT, O/O ASST DIRECTOR OF AGRICULTURE (REGULAR), ADIMURTHI NAGAR, ANANTHAPURAMU ARE PROPOSED TO BE SUSTAINED.

LIST OF WITNESSES:

The following oral evidence is available on record.

L.W.1: Sri Bandaru Venkatesulu, 51 Years, S/o Late Pedda Narayanappa, Marutla Village, Kuderu Mandal, Ananthapuramu District:

He speaks about the contents of his complaint dt: 24.08.2023 submitted to the DSP, ACB, Ananthapuramu Range, Further he gave a memory card during the Pre-Trap proceedings containing the direct phone recordings by him in his mobile phone on 21.08.2023 & 23.08.2023, when he directly met the Government Servant-1 & Government Servant-2 about the transfer of the same to Xtreme SM 4 GB memory card with help of his realative Bandaru Ekanth naidu's lap top computer which is in his personal custody and regular usage. Later he got the voice conversation stored in the Xtreme SM 4 GBmemory card (which was recorded when the Bandaru Venkatesulu met the Government servant -2 in his office after leaving the trap party) and also speaks about the contents of Pre-Trap Proceedings, Post-Trap Proceedings to the extent concerning to him. The statement of the Bandaru Venkatesulu was recorded U/s 164 Cr.P.C by the Spl. Judicial Magistrate of 1st Class (Proh. & Excise Cases), Ananthapuramu on 16.09.2023 and he fared well.

L.W.2: Sri Mudigallu Ravi, 53 yrs, S/o M. Honnurappa, Asst. Director of Agriculture (Regular), Ananthapuramu. R/o D.No. 6-74, Maruthi Nagar, Ananthapuramu. Cell No. 8331057602:

On examination he stated that he is working as Assistant Director of Agriculture (Regular) Office, Adimurthy Nagar, Ananthapuramu Town from 01-06-2023, Procedure to be followed for issue of Fertilizer License and Pesticide License to any dealers, Fertilizers (Organic, Organic in mixture) as per Clause 8 of (Control) Order, 1985, the dealer shall submit the application and necessary documents to the concerned Mandal Agriculture Officer for licenses in the prescribed format, after making the application the concerned Mandal Agriculture Officer shall examine the said application and inspect the dealer's fertilizer and pesticide shop, after the dealer's application uploaded in e-office or PARICHAYA app to Assistant Director Agriculture Officer (Regular) through the login of the concerned Mandal Agriculture Officer, the physical file prepared by the Mandal Agriculture Officer is also send to the concerned Assistant Director Agriculture Officer (Regular) for its further processing. He received the above physical file from the concerned Mandal Agriculture Officer, as per Clause 9 Fertilizers (Organic, in Organic Mixture) (Regulation) Order, 1985, he was also inspected the shops, further issuing fertilizer license to installs a new retail fertilizer shop.

For the procedure of issuing a new pesticide license, the same procedure of issuing of Fertilizers License but as per Clause 9 Fertilizers (Organic, in Organic Mixture) (Control) Order, 1985, the new shops are inspected by Assistant Director Agriculture Officer and physical file (received from concerned MAOs) wereforwarded to The District Agriculture Officer for issue Pesticide license. Assistant Director Agriculture Officer does not have the power to issue pesticide licenses. The power to issue pesticide license is vested in the District Agriculture Officer.

In this case, Government servant-1 is working as Agriculture Officer of Raptadu Mandal from 03-06-2023. Spl. Commissioner of Agriculture, AP, Guntur vide no. All(3)AGC02-32022(41)/75/2023 A2 SEC-AGRHOD, O/o the Commissioner & Director of Agriculture, AP, Guntur, Dt.- As per 04-2023, Subhakar, Agriculture Officer of Raptadu Mandal has given order as FAC Kuderu quality & control for a period of 6 months i.e., up to 30-09-2023. But Subhakar has been transferred as Uravakonda Agricultural Officer from Raptadu as per order File No. AGCO2-32022(31)/1/2023-ADMIN-AGRHOD. And according to the same order, Government servant-1, who was the Uravakonda Mandal Agriculture Officer, was transferred to Raptadu Mandal Agriculture Officer. But Government servant-1, who is an agricultural officer, as per the order of the commissioner, who also used to perform FAC quality control duties for

(P.T.O.)

Kuderu Mandal. Later Government servant-1 given requestion to him (ADA) to appoint another officer to perform FAC quality control duties for Kuderu Mandal because it will be difficult to perform the duties of agricultural officer of Raptadu Mandal and FAC quality control duties for Kuderu Mandal. Later the same was informed to District Agriculture Officer through letter vide Roc No. B/FCO-1985/Quality Control/2023 dated 07.08.2023, later received memo Roc No.A9/616/2022 Dated 10.08.2023 from District Agriculture Officer as per the order of Commissioner and Director of Agriculture Guntur informed that the Raptadu mandal agriculture officer should perform the FAC quality control duties related to Kuderu mandal. The same was informed to Mandal Agriculture officer Rapthadu Vide Roc No. B/FCO-1985/Quality Control/2023 Dated 17.08.2023. Therefore, Government servant-1 should be present for the verification work of the applications related to the issue of licenses for setting up fertilizer and pesticide shop in Kuderu Mandal.

A few days ago, Venkatesulu from Marutla village of Kuderu mandal came to him to apply for the new fertilizer and pesticide shop license Bandaru Venkatesulu asked him who is the quality control agricultural officer for Kuderu mandal. He told Bandaru Venkatesulu to met Government servant-1. Further Bandaru Venkatesulu met to Government servant-1 and asked to Government servant-1 process his fertilizer and pesticide shop license files, Government servant-1 said that should do a field visit and that he would come there to be inspection. On 19.08.2023 Government servant-1 and Government servant-2, who works as a junior assistant in his office went to Marutla village of Kuderu Mandal and inspected Bandaru Venkatesulu's Pesticide and fertilizer shop. But Government servant-1, and Government servant-2 together demanded, bribe amount for processing files related to the issue of fertilizer and pesticide shop licenses of Bandaru Venkatesulu of Marutla Village Kuderu Mandal.On 25.08.2023 while he was attended E-Cropping duty at Bukkarayasamudra mandal, at that time Inspector ACB made a phone callto him and informed on 25.08.2023 at 12.30 PM Government servant-2, who works as a Junior assistant in your office has accepted bribe amount of Rs.15000/-from Bandaru Venkatesulu on behalf of Government servant-1 and caught red-handed by ACB officials. Immediately he left there and came to his office. Perused the Fertilizer and Pesticide license files held by Government servant-2, Fertilizer license in the name of M/s Lakshmi Narasimha Enterprises, D No. 1-181, Marutia-I village, Kuderu mandal, after coming to him through the concerned MAOs of processing fertilizer and pesticide license files junior assistant Narasimhulu do license work. But Government servant-2, is supposed to do the work of National food security mission, Polam Badi, RKVY (Rastriya Krishi Vikas Yojana) but against the rules Government servant-1, who were together processed the files of Venkatesulu's fertilizer and pesticide shop licenses and the fertilizer and pesticide shop license files of the said Venkatesulu have not been sent to him and uploaded in E office. Previously Government servant-1 worked as an agricultural officer in Ananthapuram mandal agriculture office and Government servant-2 also worked as a junior assistant with that introduction Government servant-2, took the license files of a fertilizer and pesticide shop unrelated to him to process and demanded a bribe on behalf of Government servant-1 and took the bribe amount from the dealer Bandaru Venkatesulu.

L.W.3: Sri G Narasimhulu, Jr. Asst., 39 Yrs., R/o D No. 28/2/142, Navodaya Colony, Ananthapuramu Cell: 7013051254

On examination Stated that, he is working as Jr. Asst. in the O/o the Asst. Director, Agriculture (Regular), Ananthapuramu, since 01-06-2023. He deals the Polam Badi, Seed distribution and Quality control works. His working table is located in the same room where the working table of Government servant-2 is located. On 25.08.2023 he attended to his duties at about 10.30 AM and went out of the office for attending his personal work and returned back at about 1.00 PM. The duty of receiving files for issue of Fertilizer and Pesticide licenses is allotted to him, but he came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1, from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

(Contd.p.15)

L.W.4: Sri L M Narasimha Murthy, Office Sub-ordinate, 47 Yrs., R/o Kambaduru (V) & (M) Cell: 9502345812.

On examination Stated that, he is working as Office Sub-ordinate in the O/0 the Asst. Director, Agriculture (Regular), Ananthapuramu, since 2017. Today i.e., on 25.08.2023 he attended to his duties at about 10.30 AM, and at about 12.30 PM he heard some conversation in the office and came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/-on behalf of Government servant-1 from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

L.W.5. Sri S Shashavali, Computer Operator, 39 Yrs., R/o D.No.12/1-298, Ashok Nagar, Ananthapuramu Cell: 9347066101

On examination Stated that, he is working as Computer Operator on contact basis in the O/o the Asst. Director, Agriculture (Regular), Ananthapuramu, since 2018. Today I.e., on 25.08.2023 he attended to his duties at about 10.30 AM, and at about 12.30 PM he heard some conversation in the office and came to know that the ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1 from a dealer for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

L.W.6: Sri Bandaru Ekanth Naidu, aged 33 years S/o B.Ramanjineyulu, Marutla Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, L.W.1 is the close relative to him, he copied the recorded voice data from cell phone of the Bandaru Venkatesulu in to the memory card through his Lap tap computer which is in custody and issuing of S.65(B) IEA Certificate and etc facts.,

L.W.7: Sri Besta Ramanna, age: 55 yrs, S/o Late Narasimhulu, Marutla -1 Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, and live by agriculture, in his village Bandaru Venkatesulu's house is next to his house. Bandaru Venkatesulu used to say that he wanted to set up a fertilizer and pesticide shop in our village, and in the same way, he had built a new room and applied to the concerned authorities for licenses related to fertilizers and pesticides. On 19.08.2023 while he was present at Bandaru Venkatesulu House at that time two persons came here after inspecting the room where the newly constructed fertilizer and pesticide shop and went away from that place. Further he asked to Bandaru Venkatesulu who they were, further he know that as Government servant-1, and Government servant-2. Further he know that on 25.08.2023 ACB officials have trapped Government servant-2., for receiving the bribe amount of Rs.15,000/- from his villager Bandaru Venkatesulu on behalf of Government servant-1, for processing his files for issue of Fertilizer and Pesticide licenses and extra facts.

L.W.8: Sri Besta Verraiah, age:40 yrs, S/o Narayanappa, Marutla -1 Village, Kuderu Mandal, Ananthapuramu District.

On examination he stated that he is a resident of Marutla Village, Kuderu Mandal, Ananthapuramu District, further stated corroboration version of L.W.7 in material facts and etc., facts.

L.W.9: Sri Brahmnapalli Ramireddy gari Sekhar Reddy, age:52 yrs, S/o Late B.Ramireddy, AO (Agriculture officer) Soil testing Laboratory Ananthapuramu I/c MAO, Rapthadu & Quality & Control Kuderu Mandal.

On examination he stated that he was working as AO in Soil Testing Lab (STL) at Adimurthy Nagar, Ananthapuramu Town from 01-07-2023 to 25-08-2023, as per orders of his superior officers vide Roc No.02/2023 Dated 28.08.2023 O/o Assistant Director of Agriculture Soil Testing Laboratory Ananthapuramu & Roc No.A1/513/2023 Dated 26.08.2023 O/o District Agriculture office, Ananthapuramu has been appointed as Incharge MAO for Rapthadu Mandal and as Incharge Quality & Control for Kuderu Mandal from 28.08.2023, he performed duties of recommend monitoring of RBKs, monitoring of harvesting experiments, monitoring of fertilizers, and pesticide shops as part of quality and control and new licenses.

(P.T.O.)

But Government servant-1, who worked as Agriculture Officer, Raptadu Mandal, in-charge Q & C Kuderu Mandal, and Government servant-2, Junior Assistant in AD Office earlier, together demanded bribe amount for process the files related to the issuance of fertilizer and pesticide shop licenses of Bandaru Venkatesulu of Marutla village, Kuderu Mandal. Further know that on 25.08.2023 ACB officials have trapped Government servant-2, for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1 from a dealer (Bandaru Venkatesulu) for processing his files for issue of Fertilizer and Pesticide licenses.

After the trap case, his AD Sir handed over Bandaru Venkatesulu's Fertilizer License and Pesticide License files and instructed him to do a field visit and send an inspection report, after examined these two files, Government servant-1, earlier Agriculture Officer, Raptadu Mandal, in-charge Q & C Kuderu Mandal, and Government servant-2, together demanded money to process the files related to the issuance of fertilizer and pesticide shop licenses of Bandaru Venkatesulu of Marutla village, Kuderu Mandal and also conducted field inspection and kept the said files without signed by Government servant-1 because Bandaru Venkatesulu did not give amount to Government servant-1.

Further he know that Bandaru Venkatesulu of Marutla-1 village, Kuderu Mandal met to Bathini Vijaya Kumar, who was Incharge MAO, without Quality & Control Kuderu Mandal for how to applying of fertilizer and pesticide license. It is learned that he said to meet AD in Ananthapuramu as he has no authority.

According to the orders of AD, he along with Vijaya Kumar, MAO Kuderu without Q & C Kuderu mandal went to Marutla-1 village and inspected Bandaru Venkatesulu's Fertilizer and Pesticide Shop and the name of the shop was Sri Lakshmi Narasimha Enterprises. To grant a license for a fertilizer or pesticide shop to anyone, one must have a B.Sc Agriculture, B.Sc degree or diploma qualification, but Bandaru Venkatesulu does not have the above qualification. He act as Proprietor and his relative Bandaru Ekanth Naidu has studied B.Sc Agriculture so he is the Person Responsible. Further he recommended and prepared the inspection report and same was sent the relevant files to the AD through E-office and also sent the physical documents. However, AD examined the files and issued fertilizer license to Bandaru Venkatesh. further AD recommending pesticide license to JD through the e-office and also sent physical documents. JD examined the files and issued a pesticide license to Bandaru Venkatesh. Further Bandaru Venkatesulu's fertilizer license and pesticide license both came to his office in Rapthadu, he informed to Ekanth Naidu, who is the Person Responsible of Marutla-1 Village andgave instructions and precautions on the shop management and gave both licenses to Ekanth Naidu. And etc facts.

L.W.10: Sri Bathini Vijaya Kumar, 56 yrs, S/o Late B.Obulesu, AEO, FAC MAO Without Quality& Control Kuderu Mandal, R/o D.No 28/6-264, house No.549, Housing board colony, Ananthapuramu

On examination he stated that he worked as AEO (Agriculture Extension Officer) to Atmakuru Mandal and worked as Incharge MAO for Kuderu Mandal from the year 2021 to the month of August 2022, then from the month of August 2022 he served as AEO of Atmakuru between 04th May-2023. As per orders of his superior officers vide File No. AGCO2-32022(41)/75/2023-A2-SEC-AGRHOD O/o Commissioner & Director of Agriculture AP, Guntur Roc No. A1/616/2022 Dated 03.05.2023 O/o District Agriculture office, Ananthapuramu, Roc No. A/01/2023 Dated 04.05.2023 O/o Assistant Director of Agriculture (Regular) Ananthapuram, Kuderu Regular MAO L.Navatha has sent on deputation to Agriculture Lab in Ananthapuram, he is doing duty as FAC MAO, Without Quality & Control Kuderu Mandal. Generally, AEOs are responsible for monitoring RBKs, monitoring harvesting experiments, sending office reports to higher authorities, etc. Regular MAOs, however, supervise RBKs, monitor harvesting experiments, monitor fertilizer and pesticide shops as part of quality and control and recommend new licenses. Further stated corroboration version of L.W.9 in material facts and etc., facts.

(Contd.p.17)

L.W.11. Smt. Pagadi Palyam Jyothioramai, 39 years, W/o Late T.Muralidhar R/o D.No 6-1-2-601, Ramnagar, Ananthapuramu Town

On examination She is working as Junior Assistant in Assistant Director of Agriculture (Regular) Ananthapuramu since 09.06.2023, She got this job under compassionate appointment due to the death of her husband. As per the orders of her superiors vide Order No.A/01/2023-24 Dated 16.06.2023 O/o Asst. Director of Agriculture (Regular) Ananthapuramu, She was maintaining Dispatch, C.L Statinory item registers. But the inward register has not been maintained in office since she joined the new job. Further as per Oral instructions of her superior officer she started maintaining inward Register from 01.01.2024. Subsequently, on 25.08.2023 she went to OH due to Varalakshmi vratam Festival. On 24.08.2023 She applied for OH, and said the application was given to her Assistant Director.

Further, she came to know that the ACB officials have trapped Government servant-2., for receiving the bribe amount of Rs.15,000/- on behalf of Government servant-1 from a dealer Bandaru Venkatesulu, Marutla Village, Kuder Mandal for processing his files for issue of Fertilizer and Pesticide licenses and etc., facts.

L.W-12: Sri Venkatadri, Deputy Superintendent of Police, Anti-Corruption Bureau, Kurnool Range, I/C Ananthapuramu Range

Speaks about the facts of complaint registration of FIR, laying of trap and Pre-Trap, & Post Trap proceedings and seizure of documents and arrest of Government servant -1, and Government servant -2 and etc facts.

L.W.13 Sri D.Hemanth Kumar Reddy, Inspector of Police, Anti-corruption Bureau, Ananthapuramu Range, Ananthapuramu.

To speak about receiving entrustment orders from higher authority further recording the statements of L.Ws.1 to 11, serving of notice to the Government servant-1 and Government servant-2, obtaining their explanation, and his investigation, obtaining sanction orders and filling charge sheet and etc facts.

Any other witness who is found to be relevant will be produced at the time of enquiry.

Sd/- B. RAJSEKHAR
EX-OFFICIO SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER